IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

MONDAY, THE 15TH OCTOBER 2007 / 23RD ASWINA 1929

WP(C).No. 30492 of 2007(E)

OPMV.497/1991 of MOTOR ACCIDENT CLAIMS TRIBUNAL, PALAKKAD

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PETITIONER:

K.PRABHAKARAN, THACHARAYIL,
VELLANIKKARA P.O., THRISSUR DISTRICT
PIN-680654.

BY ADV. SRI.VADAKARA V.V.N.MENON

RESPONDENTS:

1. K.SULAIMAN,
VALKULAMBU, KORANCHIRA P.O.,
VADAKKANCHERRY.

2. THE STATE OF KERALA, REP. BY
CHIEF SECRETARY TO GOVERNMENT,
GOVT. SECRETARIAT, THIRUVANANTHAPURAM.

3. THE DISTRICT COLLECTOR,
COLLECTORATE, PALAKKAD,
PALAKKAD DISTRICT.

4. THE TAHSILDAR,
TALUK OFFICE, ALATHUR TALUK,
PALAKKAD DISTRICT.

5. THE VILLAGE OFFICER,
VILLAGE OFFICE, KIZHAKKENCHERRY-1,
ALATHUR TALUK.

BY GOVT. PLEADER SRI. I.V.PRAMOD

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 15/10/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ANTONY DOMINIC, J.

W.P.(C). NO. 30492 OF 2007

Dated this the 15th day of October, 2007

J U D G M E N T

Petitioner was one of the respondents before the Motor Accidents Claims Tribunal and an award was passed against the petitioner. The contention of the petitioner is that his only landed property has already been sold long ago even prior to the award and that revenue recovery proceedings are now initiated against the properties so transferred by him. It is challenging that proceedings, this writ petition is filed.

2. If at all any revenue recovery proceedings as submitted by the petitioner has been initiated, it is only against the property, which according to the petitioner has been transferred even before the award. If that be so, it is the transferee of the property who is to be aggrieved and not the petitioner. So the petitioner cannot be said to be aggrieved by the revenue recovery proceedings.

The writ petition lacks merits and is accordingly dismissed.

ANTONY DOMINIC, JUDGE

vps